

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**FILED**

NOV 27 2006

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH H. KEELER, JR.,

Defendant.

CR. 06-40088

ORDER

Pending is Defendant's Fourth Motion to Continue (Doc. 28) which requests a thirty day continuance of the motions hearing and plea deadline. The government has no objection to the motion. Based on a review of the pending suppression motion, it is anticipated expert medical testimony will be received at the evidentiary hearing. The court has reserved a full day for the hearing. Further, adequate time will be necessary for the court reporter to finalize a transcript of the hearing for use in preparing the report and recommendation to the District Court. The motion does not request a continuance of the trial date, currently set for February 27, 2007. Therefore, to grant the request for a thirty day continuance substantially infringes on the court's time to prepare a report and recommendation.

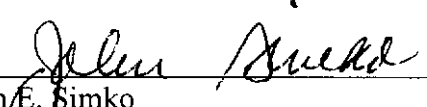
Accordingly, it is hereby

ORDERED that Defendant's Fourth Motion to Continue (Doc. 28) is GRANTED in part and DENIED in part as follows:

1. The motions hearing is rescheduled to begin at 9:00 a.m. on Thursday, December 14, 2006.
2. The deadline for submission to the court of any proposed plea agreement is Friday, January 26, 2007.

Dated this 27th day of November, 2006.

BY THE COURT:


John E. Simko
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, Clerk

By Sherry Manguerra, Deputy